

**REMARKS**

The last Official Action in the above-identified application has been carefully considered. The Examiner's indications that claims 36, 38 and 39 are allowed and that claims 3, 6-8, 10, 11, 14, 17-19, 21, 22, 29-31, 33 and 34 are objected to as being dependent upon a rejected base claim are greatly appreciated. This amendment has been presented to place this application in condition for allowance. Accordingly, reexamination and reconsideration of this application are respectfully requested.

By this amendment, claims 1-2, 12-13, 23, 26, 37 and 40-41 have been amended. Claims 42-43 have been added. Claims 1 through 43 remain pending in this application.

In Section 3 of the Official Action, claims 1, 2, 4, 5, 12, 13, 15, 16, 23, 25-28, 35, 37, 40 and 41 have been rejected under 35 U.S.C. §102(e) as being anticipated by Colens (U.S. Patent No. 5,869,910). The Colens reference relates to a self-contained mobile robot wherein a robot is fitted with a computer and a circuit measuring the intensity of an oscillating field produced by the energy source itself. Intensity measurements are sent to the computer which applies a particular algorithm in order to instruct and control movement of the robot. On the basis of these intensity variations along its path, the Colens robot is said to be able to lead itself to the supplying source for a power recharge if necessary.

More specifically, according to Colens, the supply station has a generator connector to an electric current source such as a unit made of photovoltaic panels coupled to a rechargeable battery. The Colens robot has an induced filtering and rectifying device which allows for recharge of the battery when the robot is placed in the supply station.

Col. 2, lines 33-38 of Colens, specifically relied upon by the Examiner, states that the robot computer analyzes the level of charge parameters of a rechargeable battery. When the

battery of the robot must be charged, a particular algorithm takes control of movements of the robot so that the robot reaches the supply station to be charged. Col. 3, lines 14-28 of Colens, also relied upon by the Examiner, discusses the rotational movement by successive approximations caused by the algorithms to reach the resupply station when the measured field of charge parameters is at a certain level.

Independent claims 1, 12, 23, 26, 37, 40 and 41 of this application recite that a predetermined movement of a body part of the robot apparatus is performed when charging of the charging battery is completed in the charging device. Colens completely lacks applicants' claimed invention as (1) the entire Colens' robot moves in 900 directions in response to the algorithm, and (2) this movement of the Colens' robot occurs when the robot is in use (the movements are not in the charging device). Colens' effectuates movement to return the robot to the charging station whereas applicants' invention effectuates movement of a body part in the charging station to notify the user that charging is complete.

In order to further distinguish applicants' claimed invention from the entire robot movement of Colens, independent claims 1, 12, 23, 26, 37, 40 and 41 have been amended herein to recite that at least one selected body part of the robot apparatus performs a predetermined movement when charging has been completed in the charging device. It is therefore believed that applicants' claimed invention of claims 1, 2, 4, 5, 12, 13, 15, 16, 23, 25-28, 35, 37, 40 and 41 is not anticipated by nor rendered obvious by Colens as Colens fails to disclose or suggest the above-noted features of applicants' claimed invention.

Based upon the foregoing, it is believed that the Examiner's rejection of claims 1, 2, 4, 5, 12, 13, 15, 16, 23, 25-28, 35, 37, 40 and 41 based upon 35 U.S.C. §102(e) has been overcome by the present amendment and remarks and withdrawal thereof is respectfully requested.

In Section 5 of the Official Action, claims 9, 20 and 32 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Colens in combination with Takenaka et al. (U.S. Patent 6,064,167). The Takenaka et al. reference relates to a legged moving robot which has a plurality of movable legs having actuators associated with the joints of these legs. In his rejection, the Examiner has specifically relied upon the disclosure of Takenaka et al. found at col. 13, line 58 to col. 14, line 4. As set forth therein, when the remaining capacity of the battery is recognized by a remaining capacity recognizing means is lower than the predetermined level, fall judging means determines that the robot is walking in an uppermost style to thereby enable an actuator control mechanism to control the joint actuators to lower the center of gravity of the robot, while leaving the movable leg as the swing leg and landing it on the floor. This lowering of the center of gravity of the robot is shown in Figures 6 and 7 of Takenaka et al.

Claim 1, upon which claim 9 ultimately depends, claim 12 upon which claim 20 ultimately depends, claim 26, upon which claim 32 ultimately depends, and claims 37, 40 and 41 have been rewritten herein to recite, in one form or another, that the robot apparatus includes charging indicating means for performing a predetermined movement of at least one selected body part of the robot apparatus to indicate an amount of charging in the charging battery on charging the charging battery in the charging device. This is vastly different from the robot of Takenaka et al. wherein during use of the robot (out of a battery charging), the center of gravity of the robot is lowered when the battery capacity of the robot is determined to be low, although Takenaka can perform predetermined movement of its legs in this event as noted by the Examiner.

As such, Takenaka et al. does not exhibit the benefits of applicants' invention. Upon charging in the charging device, applicants' robot apparatus is capable of being caused to have an

impression of a living thing. For instance, if the robot apparatus is a dog or cat, a wagging tail or head shaking simulates the animal waking up from its sleep, much like a living animal. This provides for high entertainment characteristics to the user. Such an impression is not generated by the robot actions of Takenaka et al. set forth in col. 2, lines 23-67 thereof.

However, even if it was conceivably possible to combine the teachings of Colens and Takenaka et al., that combination would fail to teach or disclose a robot apparatus which includes charging for performing a predetermined movement of at least one selected body part of the robot apparatus to indicate an amount of charging in the charging device on charging the charging battery in the charging device. Both Colens and Takenaka et al. fail to disclose or suggest this feature of applicants' invention of claims 9, 20 and 32.

Based upon the foregoing, it is believed that the Examiner's rejection of claims 9, 20 and 32 based upon 35 U.S.C. § 103(a) has been overcome by the present amendment and remarks and withdrawal thereof is earnestly solicited.

As aforementioned, the Examiner has indicated in Section 4 of the Official Action that claims 3, 6-8, 10, 11, 14, 17-19, 21, 22, 29-31, 33-34 would be allowable if rewritten in independent form including all of the features of the base claim and any intervening claims. As a result, new claims 42-43 have been added by the present amendment. New claim 42 is in independent form and incorporates the features of previously presented claims 1, 4 and 10. New claim 43 is in independent form and incorporates the features of previously presented claims 1, 4 and 11. Based upon the Examiner's comments in Section 7 of the Official Action, it is believed that new claims 42 and 43 are in condition for allowance.

In view of the foregoing amendment and remarks, it is respectfully submitted that the application as now presented is in condition for allowance. Early and favorable reconsideration

of the application are respectfully requested.

Statements appearing above in respect to the disclosures in the cited references represent the present opinions of the undersigned attorneys and, in the event that the Examiner disagrees with any of such opinions, it is respectfully requested that the Examiner indicate those portions of the respective references providing the basis for a contrary view.

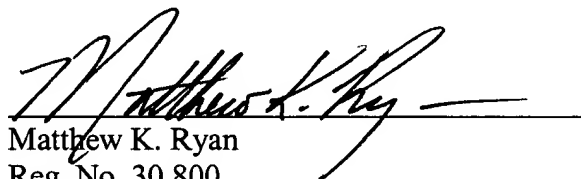
An additional fee of \$208.00 is deemed to be required for the additional claims presented by this amendment. Please charge any additional fees or credit any overpayment to Deposit Account No. 50-0320.

A Notice of Allowance is earnestly solicited.

Respectfully submitted,

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